

Lucy Nolan, Director of Policy and Public Relations
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Judiciary Committee

SB 1058 An Act Concerning Compassionate Parole Release by the Board of Pardons and Paroles and Concerning Staff of the Department of Correction.

Senator Winfield, Representative Stafstrom and members of the Judiciary Committee. My name is Lucy Nolan. I am the Director of Policy and Public Relations at the Connecticut Alliance to End Sexual Violence, the statewide coalition of Connecticut's nine community-based sexual assault crisis services centers. Our mission is to create communities free of sexual violence and to provide culturally affirming trauma-informed advocacy and prevention centered on the voices of survivors.

Victims and survivors of sexual violence who choose to use the criminal justice system to regain some of the power that they lost during their assault need to be met with clear and fair responses by the system to hold those who harmed them accountable for their crimes. At times victims may feel retraumatized and victimized by the systems that are available to them to hold their offender responsible. People who are incarcerated for crimes of sexual assault and given parole are placed into a collaborative community model that protects the communities of which they are a part. If passed, SB 1058, An Act Concerning Compassionate Parole Release by the Board of Pardons and Paroles and Concerning Staff of the Department of Correction will remove the required treatment for sexual offenders and nullify the treatment and supervision collaborative model that is so necessary to give victims a chance to heal while offering offenders tools to not to reoffend.

The legislation would change the current compassionate parole release to include any inmate by the Board of Pardons and Paroles "if the board finds the that the inmate is physically or mentally debilitated, incapacitated or infirm as a result of advanced age or as a result of a condition, disease or syndrome that is not terminal as to present a significantly reduced risk as to a danger of society..." changing the language from the inmate to be physically incapable of presenting a risk of danger to society.

Additionally, the removal of CGS 54-131k (b) nullifies the requirement that any person who is granted compassionate leave will be subject to the terms and conditions of the Board of Pardons and Paroles or supervised once released. This allows offenders to be released without any of the provisions that were required pending release without the compassionate leave element. This could have serious negative impacts on those who are incarcerated for crimes of sexual assault.

A period of special or split parole is often used in the sentencing and release of sexual offenders to ensure that community supervision is a part of the reentry strategy. The Judicial Branch Court Support Services Division (CSSD) houses Connecticut's specialized supervision of sex offenders on probation and has a highly successful record in creating appropriate treatment, enforcement of conditions and restoration for the

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victim, the community and the offender. Sex offenders are evaluated and required to participate in treatment that is intended to ensure that they learn how manage the dynamic risk factors specific to this group, which can factor into the likelihood of recidivism. CSSD manages the supervision and treatment of sexual offenders through a collaborative model with trained probation and parole officers and sex offender treatment providers who work together to identify risk factors and the proper case management strategy for individuals for reentry into their communities to ensure their success and decrease rate of recidivism.

When granting compassionate leave how is a “significantly reduced risk as a danger to society” determined? If the probation or parole that has been included in the sentence to identify risk factors in order to decrease reoffending is no longer required does that not leave both communities and the person who is released at a greater risk? The current collaborative model for probation specifically helps offenders find housing, employment and training for employment, and if needed transportation. This model is critical to their reentry. Programs like Connecticut’s collaborative model are lauded by national experts and researchers as a successful model in reducing reoffending by sexual offenders.¹

The Alliance is a part of this collaborative model and works with CSSD through our Post-Conviction Victim Services (PCVS) program. Victim advocates provide victim notification to ensure that victims are aware of changes in status of their offender to help them safety plan, access support, and identify areas of concern with the offender, including appropriate jobs or living spaces. Victims and offenders’ Approved Supervisors, the people in an offender’s life who work with the collaborative team to support the offender, often reach out to PCVS advocates to seek support when offenders’ behaviors or actions cause concern. These concerns are quickly addressed by the collaborative team and the intervention reduces the possibility of recidivism. For example, an offender who has lost their employment moved in with their sister, who had three young children, and the offender’s girlfriend contacted the PCVS advocate to express concern about the offender cohabitating with young children because his crimes were against children. The team was able to identify an alternative relative for the offender to live with who did not have children in the residence thereby reducing the likelihood of additional sexual crimes.

We understand and support the need for those who are incarcerated to receive compassionate leave; however, we want to assure that upon granting the leave the mandated court ordered parole is completed and followed. Community supervision is a tool for reentry for sexual offenders that not only protects the community, but also the victims and the offender.

The Alliance urges this committee not to remove section b in CGS 54-131k.

Thank you for your consideration.

¹ Hanson, R. Karl et al, Psychology, Public Policy, and Law 2018, Vol. 24, No.1, 48-63